

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ETHAN AMANO, et al.,

Plaintiffs,

**DECISION AND ORDER**

- v -

CV-03-5685 (JG)(VVP)

ALLIED DOMEQ, et al.,

Defendants.

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The plaintiffs seek the intervention of the court to address the defendants' alleged breaches of various terms of a settlement agreement, and to award attorneys' fees and other costs incurred in their efforts to enforce their rights under the agreement. The defendants, for their part, also seek an order requiring the plaintiffs to pay franchise and advertising fees they still owe.

Although the plaintiffs suggest that they asked the court to retain jurisdiction to enforce the settlement agreement, the record does not reflect that any order to that effect has been entered by the court. The court thus does not have subject matter jurisdiction to resolve these breach of contract disputes. See *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 381-82, 114 S. Ct. 1673, 1677 (1994). The plaintiffs' motion must therefore be denied.

**SO ORDERED:**

Viktor V. Pohorelsky  
VIKTOR V. POHORELSKY  
United States Magistrate Judge

Dated: Brooklyn, New York  
March 27, 2006